REMARKS

The present application has been reviewed in light of the Office Action dated April 22, 2010. Claims 1, 4-7, 10-13 and 16-17 are presented for examination, of which Claims 1, 7 and 13 are in independent form. Claims 2, 3, 8, 9, 14, and 15 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claims 1, 4, 7, 10, 13, and 16 have been amended to define aspects of Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,943,508 (*Penny et al.*), in view of alleged Admitted Prior Art (*AAPA*) and further in view of U.S. Patent No. 6,587,735 (*Yaguchi*); that Claims 7-9 and 13-15 are rejected under § 103(a) as being unpatentable over *Penny et al.* in view of *AAPA*; that Claims 10 and 16 are rejected under § 103(a) as being unpatentable over *Penny et al.* in view of *AAPA*, and *Yaguchi;* and that Claim 5-6, 11-12 and 17 are rejected under § 103(a) as being unpatentable over *Penny et al.* in view of *AAPA*; and *Yaguchi*, in view of U.S. Patent Application Publication No. 2005/0047666 (*Mitchell et al.*). Cancellation of Claims 2, 3, 8, 9, 14 and 15 renders their rejections moot. Applicants submit that independent Claims 1, 7 and 13, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to an image processing apparatus including a predetermined number of code converting units, a plurality of request-source task units, and an assigning unit. Each code converting unit executes coding and decoding of image data. The predetermined number of code converting units include at least one of a hardware-implemented code converting unit and a non-transitory computer-readable medium. Each request-source task unit issues a

processing request to any one of the predetermined number of code converting units to perform a corresponding task, the number of request-source task units being greater than the predetermined number of code converting units and having priorities set in advance, wherein each request-source task unit having a high priority reserves one of the predetermined number of code converting units, and each request-source task unit having a low priority competes for at least one of a plurality of non-reserved code converting units, the number of non-reserved code converting units being less than the number of request-source task units having the low priority. The assigning unit assigns: i) when the processing request is received from one of the plurality of request-source units having the high priority, the code converting unit reserved by the request-source task unit to a task corresponding to the request-source task unit that issued the processing request, and ii) when the processing request is received from one of the plurality of request-source units having the low priority and one of the plurality of non-reserved code converting units is an idle code converting unit, the idle code converting unit to the task corresponding to the request-source task unit that issued the processing request.

A notable feature of Claim 1 is the assigning unit, which "assigns: i. when the processing request is received from one of the plurality of request-source units having the high priority, the code converting unit reserved by the request-source task unit to a task corresponding to the request-source task unit that issued the processing request, and ii. when the processing request is received from one of the plurality of request-source units having the low priority and one of the plurality of non-reserved code converting units is an idle code converting unit, the idle code converting unit to the task corresponding to the request-source task unit that issued the processing request." According to this feature, the request-source task unit stands by until a code converting unit becomes idle for the low priority task (condition ii), while the reserved code

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converting unit can be used without wait for the high priority task (condition i), because the reserved code converting units are reserved for the request-source task units. Thus, the reserved code converting unit for a high priority task can operate immediately upon receiving the request. In addition, because the total number of code converting unit is less than the number of task units, the cost of the device is reduced.

At best, the cited references merely disclose techniques for competing for the use of processing components for a task on a first-come first-serve basis. According to these references, even if the priority of the task is high, when the code converting unit is busy, the task unit must stand by until the code converting unit becomes idle.

Applicant submit that a combination of *Penny et al.*, *AAPA*; and *Yaguchi* assuming such combination would even be permissible, would fail to teach or suggest assigning "when the processing request is received from one of the plurality of request-source units having the high priority, the code converting unit reserved by the request-source task unit to a task corresponding to the request-source task unit that issued the processing request" and "when the processing request is received from one of the plurality of request-source units having the low priority and one of the plurality of non-reserved code converting units is an idle code converting unit, the idle code converting unit to the task corresponding to the request-source task unit that issued the processing request," as recited in Claim 1.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Applicants further submit that *Mitchell et al.* fails to remedy the deficiencies of *Penny et al.*, *AAPA*; and *Yaguchi.*

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Independent Claims 7 and 13 include a feature similar to that discussed above in which the assignment occurs under the recited conditions. Therefore, those claims also are believed to be patentable for at least the reasons discussed above. The other rejected claims in the present application depend from one or another of independent Claims and therefore are submitted to be patentable for at least the same reasons. However, because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and an early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should be directed to our address listed below.

Respectfully submitted,

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